

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

CRYSTALLEX INTERNATIONAL
CORPORATION,

Plaintiff,

v.

BOLIVARIAN REPUBLIC
OF VENEZUELA,

Defendant.

C.A. No. 17-mc-151-LPS

**CRYSTALLEX INTERNATIONAL CORPORATION'S OPPOSITION TO
DR. LEROY A. GARRETT'S MOTIONS FOR RECONSIDERATION,
FOR EXPEDITED CONSIDERATION, AND FOR A PRE-HEARING CONFERENCE**

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Dated: July 14, 2025

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Crystallex respectfully submits this opposition to Dr. Leroy Garrett's motion for reconsideration, D.I. 1861, motion for expedited consideration, D.I. 1863, and motion for a pre-hearing conference, D.I. 1864.

Just as the Court denied Dr. Garrett's previous series of motions, D.I. 1843, the Court should similarly deny Dr. Garrett's latest motions for reconsideration, for expedited consideration, and for a pre-hearing conference. As the Court noted when it denied Dr. Garrett's motion to intervene, he "does not currently hold a judgment against PDVSA"—let alone a judgment included in this Court's priority order, *see* D.I. 1102—and "lacks any cognizable interest in this proceeding." D.I. 1843 (quoting D.I. 1802, at 2, 4). He raises only political grievances with Venezuela that are the subject of other litigation and outside the scope of this judicial sale. Above all, his motions are untimely in the extreme, coming many years late and on the eve of the judicial sale. This Court correctly denied Dr. Garrett's motions, and there is no basis to reconsider that ruling. *See* D.I. 1794 (Crystallex opposing Dr. Garrett's motion for intervention and Rule 60 relief). And because intervention was properly denied, Dr. Garrett remains a non-party to these proceedings and thus "cannot file motions seeking substantive relief in this case." D.I. 1226 (denying non-party Ivan Freites' motion for reconsideration); *see* D.I. 1829 (Crystallex opposing Dr. Garrett's motion to compel Special Master to respond on the ground that he is a non-party).

Dr. Garrett's latest motions are in keeping with his practice of repeatedly asking courts to reconsider matters that have already been conclusively decided. After the Third Circuit dismissed Dr. Garrett's appeal from Judge Hall's decision denying a preliminary injunction of this Court's sale process for failure to prosecute and denied his motion to reopen the appeal, Dr. Garrett filed an opening brief anyway, prompting the Third Circuit to enter an order informing him that "no further action will be taken" because "[t]his appeal has concluded." Dkt. 21, *Garrett v. Petróleos*

de Venezuela, No. 24-2791 (3d Cir. Jan. 29, 2025). Then, after the Third Circuit denied his petition for rehearing en banc in proceedings in which Dr. Garrett sought a writ of mandamus to stay these proceedings, Dr. Garrett moved for reconsideration, leading the Third Circuit to enter an order informing him that “no further action will be taken” because “[t]his matter has concluded.” Dkt. 17, *In re Garrett*, No. 24-2862 (3d Cir. Apr. 14, 2025). After denying his pending motions, the Court should likewise inform Dr. Garrett that no further action will be taken on his requests to intervene in these proceedings. The Court should also instruct the Clerk to docket any further submissions from Dr. Garrett only as correspondence. *See* D.I. 1829.

For these reasons, Dr. Garrett’s motion for reconsideration of the denial of his motion to intervene should be denied, and all other pending motions should be denied as moot.

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